

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH ALLEN NEIGHBORS,

Plaintiff,

2:05-cv-0710-GEB-PAN-P

vs.

HOLTORF, et al.,

Defendants.

ORDER

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On September 22, plaintiff filed a request for reconsideration of the magistrate judge's order filed August 31, 2005, dismissing plaintiff's complaint with leave to amend. Pursuant to E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly erroneous or contrary to law.

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1 Therefore, IT IS HEREBY ORDERED that, upon
2 reconsideration, the order of the magistrate judge filed
3 August 31, 2005, is affirmed.

4 Dated: October 12, 2005

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6 /s/ Garland E. Burrell, Jr.
7 GARLAND E. BURRELL, JR.
8 United States District Judge
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